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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF AMERICA,)	No. CR-06-70380 WDB
)	
12 Plaintiff,)	STIPULATION AND ORDER
)	CONTINUING DATE FOR CHANGE OF
13 vs.)	PLEA
)	
14 STANLEY ADAMS,)	Current Date: November 29, 2006
)	Requested Date: December 13, 2006
15 Defendant.)	
_____)	

16

17 Stanley Adams is charged in the Western District of Michigan with a violation of 18
18 U.S.C. § 228(a)(1), a class B misdemeanor, for wilful failure to pay child support. Mr. Adams
19 and the United States Attorneys' Offices in the Western District of Michigan and the Northern
20 District of California have agreed that Mr. Adams will plead guilty in the Northern District of
21 California pursuant to Federal Rule of Criminal Procedure 20. A plea agreement has been
22 submitted to this Court, Mr. Adams has signed the Consent to Transfer, and the Western District
23 of Michigan has received all the necessary paperwork. However, the transfer was delayed
24 because the original file in Michigan had inadvertently remained under seal. The parties expect
25 that the file will be transferred to the Northern District of California within two weeks.
26 Therefore, the parties jointly request that the next appearance be continued to Wednesday,

1 December 13, 2006 at 10:00 a.m. for change of plea.

2 To the extent that Mr. Adams has a right to be charged by Information or Indictment
3 within 20 days under Federal Rule of Criminal Procedure 5.1, Mr. Adams consents to waive that
4 right, and requests that the Court extend the time for him to be charged by Information or
5 Indictment. Such a continuance would be for good cause for the reasons described above. In
6 addition, Mr. Adams and the government stipulate that time should be excluded under the
7 Speedy Trial Act, 18 U.S.C. § 3161(h)(8)(A) and (B)(iv), because additional time is needed for
8 effective preparation of counsel, taking into account the exercise of due diligence, due to the
9 delays in transfer.

10
11 SO STIPULATED.

12 /S/

13 Date: 11/27/06

Rebecca Sullivan Silbert
Assistant Federal Public Defender

15 /S/

16 Date: 11/28/06

Michelle Morgan-Kelly
Assistant United States Attorney

18 I hereby attest that I have on file all holograph signatures for any signatures indicated by a
19 “conformed” signature (/S/) within this e-filed document.

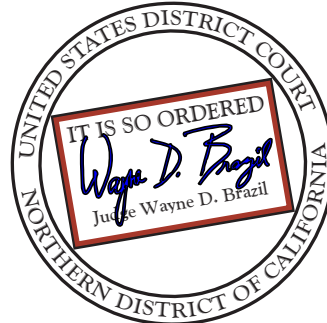
20 Based on the reasons provided in the stipulation of the parties above, the Court hereby
21 FINDS that the ends of justice served by the continuance requested herein outweigh the best
22 interest of the public and the defendant in a speedy trial because the failure to grant the
23 continuance would deny the counsel for the defendant the reasonable time necessary for effective
24 preparation, taking into account the exercise of due diligence. The Court makes this finding
25 because the file has not yet been transferred to the Northern District of California from
26

1 Michigan.

2 Based on these findings, IT IS HEREBY ORDERED THAT the above-captioned matter
3 is continued to December 13, 2006 at 10:00 a.m., and that time is excluded from November 29,
4 2006 to December 13, 2006, pursuant to 18 U.S.C. §§3161(h)(8)(A) and (B)(iv). It is further
5 ordered that good cause exists to continue the time for indictment or information.

6 IT IS SO ORDERED.

7
8 Date: November 28, 2006



Honorable Wayne D. Brazil
Magistrate Judge, United States District Court
Northern District of California